

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BALBIR SINGH,

Plaintiff,

v.

C.A. NO. 05-11671-GAO


MGI PHARMA, INC. and
MGI PHARMA BILOGICS,
f/k/a ZYCOS, INC.

Defendants.

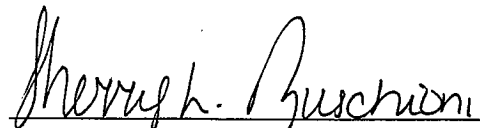
DEFENDANT MGI PHARMA, INC.'S RULE 16.1(D)(3) CERTIFICATE

Pursuant to Rule 16.1(D)(3) of the Local Rules of this Court, the defendant, MGI Pharma, Inc. and its counsel hereby state that they have conferred (a) to review the expected costs of conducting the full course and various alternative courses of the litigation with a view toward establishing a budget for same, and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs.

Respectfully submitted,



Eric P. Loukas, Esq.
MGI Pharma, Inc.



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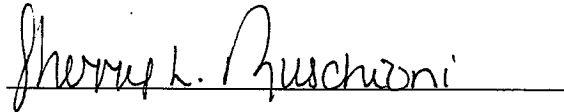
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*Counsel for Defendant
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Dated: November 14, 2005

Certificate of Service

I hereby certify that a true copy of the above document was served upon each attorney of record for each other party by facsimile on November 15, 2005.

A handwritten signature in cursive script, reading "Sherry L. Ruschioni", is written over a horizontal line.

Sherry L. Ruschioni